

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 765 OF 2003

IN

SUIT NO. 1866 OF 1984

The Sangli Bank Limited. ...Plaintiffs
V/s.

The Ahmedabad Manufacturing &
Calico Printing Co.Pvt.Ltd. ...Defendants

Mr.Kirit Mody i/b. Little & Co. for Plaintiffs.

CORAM : S.U. KAMDAR, J.
DATED : SEPTEMBER 22, 2005

P.C. :-

. Learned Advocate for the plaintiffs states that defendant-company has been wound up and an Official Liquidator of the State of Gujarat has been appointed as Liquidator.

. In that view of the matter, in my opinion, the present Motion cannot be proceeded any further. There is no Liquidator brought on record nor there is leave obtained under Section 446 of the Companies Act. In that view of the matter, Motion does not survive. Same is dismissed.

. However, it is clarified that the plaintiffs will be entitled to lodge the claim with the Liquidator and if it is so done, Liquidator would determine the same in accordance with law. The amount which is lying deposited in this suit will stand transfer to Liquidator.

(S.U. KAMDAR, J.)